



## **COUNCIL CHAMBERS**

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

<b>COUNCIL MEMBERS</b>	<b>REDEVELOPMENT AGENCY</b>
Steve Tate, Mayor	Steve Tate, Chair
Larry Carr, Mayor Pro Tempore	Larry Carr, Vice-Chair
Mark Grzan, Council Member	Mark Grzan, Agency Member
Marby Lee, Council Member	Marby Lee, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member

**WEDNESDAY, FEBRUARY 7, 2007**

**AGENDA**

**JOINT MEETING**

**CITY COUNCIL REGULAR MEETING**

**and**

**REDEVELOPMENT AGENCY REGULAR MEETING**

**7:00 P.M.**

**CALL TO ORDER**

(Mayor/Chairperson Tate)

**ROLL CALL ATTENDANCE**

(City Clerk/Agency Secretary Torrez)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(City Clerk/Agency Secretary Torrez)

**SILENT INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PRESENTATION**

Morgan Hill Community Health Foundation

**PROCLAMATIONS**

Future Business Leaders of America (FBLA)  
*FBLA Students*

**RECOGNITIONS**

**CITY COUNCIL REPORTS**

Mayor Pro Tempore Carr

**CITY COUNCIL COMMITTEE REPORTS**

**CITY MANAGER'S REPORT**

**CITY ATTORNEY'S REPORT**

**OTHER REPORTS**

**PUBLIC COMMENT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND  
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE  
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY  
COUNCIL/REDEVELOPMENT AGENCY.**

## ***City Council and Redevelopment Agency Action***

**ADOPTION OF AGENDA**

## ***City Council Action***

**CONSENT CALENDAR:**

**ITEMS 1-5**

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	<b>Time Estimate</b>	<b>Page</b>
	<b>Consent Calendar: 1 - 10 Minutes</b>	
1.	<b><u>AQUATICS CENTER CITY MANAGER AUTHORIZED RATE ADJUSTMENTS</u></b> ..... 1 <u>Recommended Action(s):</u> <b><u>Accept</u></b> Staff Report and Supporting Documentation for the Authorized Rate Adjustments.	
2.	<b><u>SUMMARY VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT AT 70 EAST EDMUNDSON AVENUE (APN 817-04-017)</u></b> ..... 5 <u>Recommended Action(s):</u> 1. <b><u>Adopt</u></b> Resolution Declaring Summary Vacation of a Public Utility Easement at 70 East Edmundson Avenue; and 2. <b><u>Direct</u></b> City Clerk to File a Certified Copy of the Resolution in the Office of the County Recorder of the County of Santa Clara.	
3.	<b><u>FINAL MAP APPROVAL FOR MISSION RANCH PHASE 9B (TRACT 9806)</u></b> ..... 13 <u>Recommended Action(s):</u> 1. <b><u>Approve</u></b> Final Map, Subdivision Agreement, and Improvement Plans; 2. <b><u>Authorize</u></b> City Manager to Sign a Subdivision Improvement Agreement on Behalf of the City, Subject to Review and Approval by the City Attorney; and 3. <b><u>Authorize</u></b> Recordation of the Final Map and the Subdivision Improvement Agreement Following Recordation of the Development Improvement Agreement.	
4.	<b><u>ACCEPTANCE OF MORGAN HILL WILDLIFE BIKE TRAIL PROJECT</u></b> ..... 17 <u>Recommended Action(s):</u> 1. <b><u>Accept</u></b> as Complete the Morgan Hill Wildlife Bike Trail Project in the Final Amount of \$321,609; and 2. <b><u>Direct</u></b> City Clerk to File the Notice of Completion with the County Recorder's Office.	
5.	<b><u>REBUDGETING 2005-2006 PROJECTS/PROGRAMS</u></b> ..... 21 <u>Recommended Action(s):</u> <b><u>Approve</u></b> Rebudgeting of 2005-2006 Project/Program Costs in the 2006-2007 Budget.	

## ***Redevelopment Agency Action***

### **CONSENT CALENDAR:**

#### **ITEMS 6-7**

	<b>Time Estimate</b>	<b>Page</b>
	<b>Consent Calendar: 1 - 10 Minutes</b>	
6.	<b><u>SECOND QUARTER REPORT FROM THE CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT PARTNERSHIP</u></b> ..... 25 <u>Recommended Action(s):</u> <b><u>Accept</u></b> Report.	
7.	<b><u>NEW LIBRARY FURNITURE DESIGN ADDITIONAL SERVICES</u></b> ..... 31 <u>Recommended Action(s):</u> <b><u>Authorize</u></b> Executive Director to <b><u>Amend</u></b> RMW's Consultant Contract for Additional Services in the Amount of \$13,200; Subject to Review and Approval by the Agency Counsel.	

## *City Council and Redevelopment Agency Action*

### CONSENT CALENDAR:

#### ITEMS 8-11

	Time Estimate		Page
	Consent Calendar: 1 - 10 Minutes		
8.		<u>APPROVE JOINT REGULAR CITY COUNCIL AND REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF JANUARY 17, 2007</u> .....	33
9.		<u>APPROVE JOINT REGULAR CITY COUNCIL AND REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF JANUARY 24, 2007</u> .....	65
10.		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF JANUARY 26, 2007</u> .....	91
11.		<u>APPROVE JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY ADJOURNED MEETING MINUTES OF JANUARY 27, 2007</u> .....	93

## *City Council Action*

### OTHER BUSINESS:

	Time Estimate		Page
12.	30 Minutes	<u>RECREATION AND COMMUNITY SERVICES DEPARTMENT MID-YEAR UPDATE</u> ..... <u>Recommended Action(s):</u> <b>No Action</b> Required. The Purpose of the Memo is to <b>Provide</b> a Recreation and Community Services Department Mid-Year Update.	95
13.	15 Minutes	<u>CONSIDERATION OF COUNCIL'S 2007 POLICIES AND GOALS</u> ..... <u>Recommended Action(s):</u> 1. <b>Review</b> Draft Policies and Goals; and 2. <b>Adopt</b> or <b>Revise</b> as Appropriate.	109
14.	5 Minutes	<u>COUNCIL COMMITTEES AND OUTSIDE AGENCY ASSIGNMENTS</u> ..... <u>Recommended Action(s):</u> 1. <b>Review</b> and <b>Confirm</b> the List of Assignments and Appointments as Discussed at the January 26 and 27, 2007 City Council/Redevelopment Agency Goal Setting Workshop; 2. Mayor to <b>Appoint</b> Council Members to Committees and Outside Agency Assignments, Subject to Council Approval; and 3. <b>Direct</b> City Clerk to Notify the Appropriate Agencies of Amended Assignments.	115

## ***Redevelopment Agency Action***

### **CLOSED SESSION:**

#### **1.**

##### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Authority:	Government Code 54956.8
Property:	17440 Monterey Road, APN: 726-14-028
Negotiating Parties:	
For City:	City Manager, Director of Business Assistance & Housing Services, City Attorney
For Property Owners:	Sherman House Associates
Closed Session Topic/Under Negotiation:	Price and Terms of Payment

### **OPPORTUNITY FOR PUBLIC COMMENT**

### **ADJOURN TO CLOSED SESSION**

### **RECONVENE**

### **CLOSED SESSION ANNOUNCEMENT**

### **FUTURE COUNCIL AGENCY-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

### **ADJOURNMENT**

**PUBLIC COMMENTS ON ITEMS *NOT* APPEARING ON AGENDA**

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

**PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA**

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

**NOTICE**

**AMERICANS WITH DISABILITIES ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

**NOTICE**

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

**NOTICE**

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.